

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

MICHAEL MCCARTHY, et al.,

Plaintiffs,

-against-

CHARLES D. BAKER, et al.,

Defendants.

CIVIL ACTION NO.

1:20-cv-10701-DPW

**PLAINTIFFS' ASSENTED-TO  
MOTION TO FILE A  
SECOND AMENDED  
COMPLAINT**

COME NOW the Plaintiffs, who respectfully move the Court for leave to file the Second Amended Complaint attached hereto. In support of this motion, the Plaintiffs state:

1. The Second Amended Complaint differs materially from the (First) Amended Complaint in that it:

- a. adds Thomas Leighton and Worcester Pistol and Rifle Club, Inc. as Plaintiffs;
- b. adds a claim that concerns the closure of shooting ranges;
- c. omits Don Tom Group LLC d/b/a Precision Point Firearms and Downrange Inc. d/b/a Cape Gun Works as Plaintiffs;
- d. deletes references to the four dismissed police chief Defendants; and
- e. revises the venue statement and makes grammatical and formatting changes.

2. At the time the Plaintiffs filed their Complaint and (First) Amended Complaint, it was unclear whether the COVID-19 Orders mandated the closure of ranges such as Worcester Pistol and Rifle Club, Inc. Since then, officials with both the Commonwealth and with local government have taken the position that all ranges must close.

3. The office of the Attorney General reviewed a prior version of the Second Amended Complaint and, with revisions now incorporated, assents to this motion for leave.

Dated: May 15, 2020

Respectfully submitted,  
THE PLAINTIFFS,  
By their attorneys,

/s/ David D. Jensen  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 4, 2020.

/s/ David D. Jensen  
David D. Jensen, Esq.